

HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.16204 OF 2007

Between:

Sri Makkina Krishna

...Petitioner

AND

The Commissioner,
Vizianagaram Municipality, Vizianagaram

...Respondents

:: ORDER ::

Counsel for the petitioner : Shri M.Balasubramanyam
for Shri M.S.R.Subramanyam

Counsel for the respondent : Shri S.Nageswara Reddy

31st July, 2007

PER G.S.SINGHVI, CJ

In this petition, the petitioner has prayed that the respondent be restrained from demolishing his property bearing Door No.18-2-33, Town Survey No.6 situated at Raja Bazar, Kaspas, Vizianagaram for the purpose of implementation of road widening programme.

In the affidavit filed by him, the petitioner has averred that even though his property has not been acquired in accordance with law, the respondent is threatening to demolish the same and if this is not stopped, then he will be deprived of his right to life and livelihood.

Shri S.Nageswara Reddy, learned counsel for the respondent says that the property of the petitioner will be demolished and used for road widening only after the same is acquired through negotiations or by resorting to the provisions of the Land Acquisition Act, 1894 or the Andhra Pradesh Municipalities Act, 1965.

The statement made by the learned counsel for the respondent is sufficient to allay the apprehension of the petitioner.

With the above observation, the writ petition is disposed of.

As a sequel to disposal of the main petition, WPMP No.20596 of 2007 filed by the petitioner for interim relief is disposed of as infructuous.

G.S.SINGHVI, CJ

31st July, 2007

C.V.NAGARJUNA REDDY, J

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